

U.S. Patent Application Serial No. 10/085,411
Atty. Docket No.: A-7295

Response to 02/05/09 Non-Final Office Action

REMARKS

In Response to the Non-Final Office Action dated February 5, 2009, please review and consider the following remarks. Claims 98-99, 101-109, and 112-129 are pending in this Application with claims 100 and 110-111 canceled. No claims have been allowed.

Interview

Applicant's attorney thanks Examiner Newlin for the interview held on March 12, 2009. During the interview, proposed claims amendments to independent claims 98, 103, 112, and 125 were discussed. Agreement was reached as to claim 112.

Independent Claim 98

On Page 5, of the Office Action, the Examiner rejected claim 98 under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 5,548,345 to Brian et al. (hereinafter "*Brian*") in view of U.S. Patent No. 6,681,396 to Bates et al., (hereinafter "*Bates*"). The Examiner asserted:

Regarding claim 98, Brian discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user, the media content enabled for access upon a first non-temporal factor [parents can allow or block channels, col. 2, 1-4, col. 7, 37-52] and approved for access during an approved time interval [col. 7, 37-52];

determining if the media content is provided at a time outside the approved time interval [upon a determination that the video signal is provided at an unapproved time, unit 10 interrupts the video signal, col. 7, 35-47].

Brian does not initiate recording based on a program falling outside the approved time interval. Bates discloses a method for automatically recording a program whose viewing has been interrupted [col. 2, 29-40; col. 8, 4-8]. The system searches for a repeat showing of the program outside of the originally viewed time interval, and records it for later viewing at a desired time. The method is analogous to the claimed invention because it records a program that cannot be presently viewed due to a conflict. In the claimed invention, the conflict is created by the administrator blocking a certain time interval. In Bates, the conflict is due to the program being interrupted for some reason, and Bates states that one source of interruption may be "demands placed on television viewers by their children" [col. 1, 14-19]. thus both the claimed invention and Bates record, in response to a conflict with an approved time interval, programs showing outside of an approved time interval for later viewing in an approved interval.

Moreover, Brian gives control of a recording device to the parental control system, thereby giving an administrator further control of recording and future playback [cols. 5-6, 65-2]. Given the suggestion to expand control of recording, and the positive (rather than blocking only) designation of allowed program, it would be obvious to one of ordinary skill

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to utilize the automatic recording featured of Bates in order to provide playback of an authorized program within an approved time interval. Brian explicitly teaches positive definition, and therefore suggests that an approved program may need to be viewed as a recording in an approved time interval, if the two settings otherwise conflict.

Claim 98:

Claim 98 (as amended) is as follows (with emphasis added):

A method for controlling viewer access to media content, comprising:
providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user, the media content enabled for access upon a first non-temporal factor and approved for access during an approved time interval;

determining whether the media content is provided only at a time outside the approved time interval;

and

if the media content is provided at a time outside the approved time interval, permanently recording to a personal video recording device the media content when the media content is provided outside the approved time interval to allow later access to the recorded media content during the approved time interval.

The rejection of claim 98 is respectfully traversed, especially in light of the present claim amendment. As discussed with the Examiner during the interview, amended claim 98 requires determining whether media content that is approved on a non-temporal factor is provided only during non-approved times and, if so, recording the media content.

It is respectfully submitted that *Brian* and *Bates*, alone or in combination, do not teach every element of claim 98. *Brian* teaches to interrupt the signal of content that is provided outside of an approved time interval (see e.g., Col. 7, lines 43-46). *Bates*, however, teaches that when the viewing of media content is interrupted, to record the content when it is provided at a later time. *Bates* has nothing to do with authorization codes, or whether the media content is provided only outside of an approved time. Therefore, *Bates* and *Brian* concern two different situations and one would not be motivated to combine the references.

Furthermore, it is respectfully submitted that because the media content of *Bates* was partially viewed and interrupted, then the content necessarily would have been available during an approved viewing time (otherwise it wouldn't be viewable). Claim 98, however, requires that the content be available only during unapproved viewing times. It is also respectfully submitted that *Bates* does not deal with a "conflict" as it relates to the

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authorization of content but of the interruption of a viewing by children, phone calls, etc.
The withdrawal of the rejection of claim 98 is respectfully requested.

Independent Claim 103

On Page 7, ¶¶ 12-13, of the Office Action, the Examiner rejected claim 103 under 35 U.S.C. § 103 as being unpatentable over *Brian* and *Bates* in view of *Kim et al.* (U.S. Patent No. 6,209,131). The Examiner asserted:

Regarding claim 103, Brian discloses a method for controlling viewer access to media content, comprising;

providing interactive user interfaces on a screen that enables an administrator to define media content for access by a user [Fig. 7].

Brian does not include a screen showing recent updates to a program information. Kim discloses displaying updates to media content to the administrator, the updates comprising only changes to the media content [Figs. 3 and 4, col. 7, 1-18]. Kim also states that one motivation for displaying updated information is to address the situation when a program has been reserved for recording and then is rescheduled or cancelled [col. 1, 60-63]. This is analogous to the problem in the claimed invention wherein a parent may define access parameters and the underlying program schedule changes. Given the suggestion by Kim, it would have been obvious to one skilled in the art of program guides that Brian could be modified to incorporate the information update display of Kim, in order to prevent confusion and conveniently inform an administrator that their settings may need to be changed.

Claim 103:

Independent claim 103 (as amended) is as follows (with emphasis added):

A method for controlling viewer access to media content, comprising;

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user;

determining updates to the media content since the administrator last positively defined the media content for access; and

displaying *only* updates to the media content to the administrator, the updates comprising *new* media content added *since the administrator last positively defined the media content for access.*

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The rejection of claim 103 is respectfully traversed. It is respectfully submitted that *Kim* relates to changes to an Electronic Program Guide (EPG) received from the headend:

The present invention relates in general to an apparatus and method for displaying program guide information in a display device, and more particularly to an apparatus and method for processing additional information in a display device, which are capable of **when a scheduled program has been changed, automatically detecting such a situation and notifying a viewer of the change.**

Kim Col. 1, lines 6-12.

Claim 103 has been amended to clarify that the updates are determined based upon media content since the administrator last positively defined the media content for access. Thus, if a cable provider merely changes the scheduling of previously authorized media content, then no update would be provided to the user, as the show has already been authorized (or failed to be authorized). *Kim* does not *determine updates (new media content) since the administrator last positively defined media for access* as required by claim 103 but indicates updates to an EPG since the last EPG data was received. For example, if a scheduled program is moved from a 6:00 pm time slot to a 7:00 pm time slot, *Kim* would consider this a schedule change and notify the user, regardless of whether the program had been previously authorized or not, because *Kim* is concerned about any changes to the schedule, whether new media or not to avoid recording the wrong show. Furthermore, *Kim* does not teach positively defining media content for access.

Claim 103 has also been amended to clarify that only updates (new media content since last positive authorization) are displayed. It is respectfully submitted that the *Kim* EPG grid does not display *only* new media content added since media content was last defined for access as required by claim 103. *Kim* provides a "NEW" indicator by the content that is different from a previous EPG grid and therefore would display as "NEW" media content, media content that was previously provided, but provided at a different time (e.g., a show is moved from 6:00 PM to 7:00 pm). *Kim* therefore will show "updates" without regard to the previous authorization. Furthermore, FIG. 4 of *Kim* does not show only the "new" content in an update screen since the last authorization code changes but shows an EPG in a time/channel grid with an indicator that a program is new to that time in the program guide regardless of whether the content is authorized or not.

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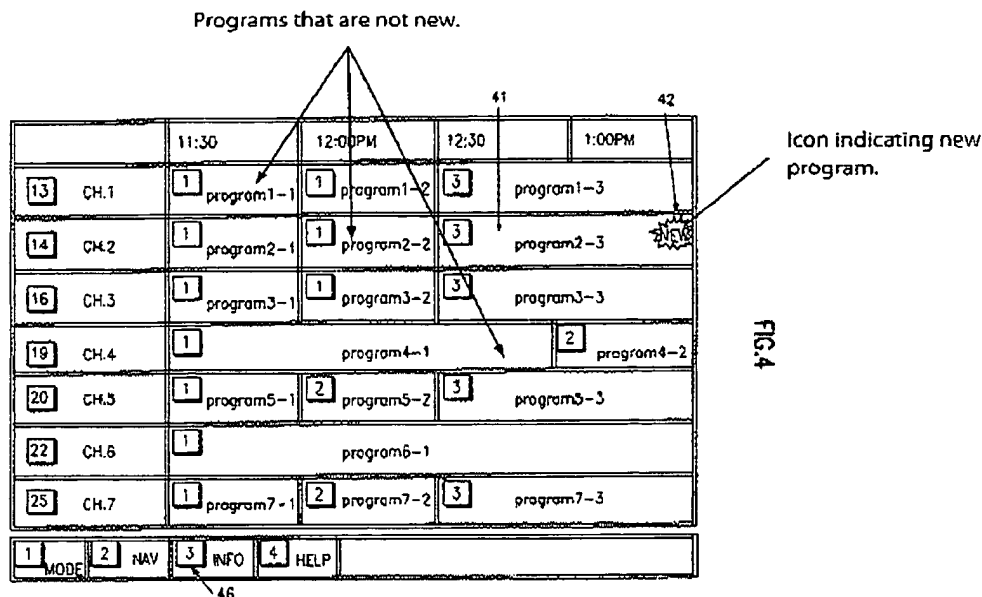


FIG. 4 shows an example of an EPG information displayed on a screen in a full grid mode in accordance with the present invention. If the full grid mode EPG is made active by the viewer, an EPG information with newly changed program information is displayed on the screen on the basis of channel list information and change list information, created according to the method of FIG. 3 and stored in the second memory 24. **Here, the newly changed program information is displayed in the form of a graphic symbol such as an icon so that it can be visually readily identified by the viewer.** In other words, on the EPG information of the full grid mode consisting of time and channel axes, a scheduled program 2-3 is shown to be substituted with a new program 2-3' 41 because the scheduled program 2-3 has been changed for broadcasting station's reasons. In this case, a graphic symbol 42 such as an icon is displayed beside the program after change to indicate that it is a substitute program. Such a graphic symbol is stored in the second memory 24.

Kim Col. 7, lines 1-18:

Therefore, it is respectfully submitted that *Kim, Bates, and Brian*, alone or in combination, do not teach each element of claim 103. The withdrawal of the rejection of claim 103 is respectfully requested.

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Independent Claim 112

On Pages 9-10, paragraph 15 of the Office Action, the Examiner rejected claim 112 asserting:

Regarding claim 112, Herrington discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user for a designated authorization level [e.g., Figs. 4A and 4B];

enabling the user to access media content enabled for a first authorization level [certain users are authorized to view R rated movies, e.g., Fig. 18A];

displaying media content enabled for the first authorization level on a display screen [video of R-rated movie, e.g., Apocalypse Now, is displayed when authorized user enters code, Fig. 18C].

Herrington does not show a lock indication on the video screen itself. However, Herrington does allow a user to receive an indication of whether the media content is enabled for other users, simply by pressing the lock key and entering a PIN [Fig. 16, col. 16, 12-16]. A black lock icon appears on the next screen (254) to indicate if the program is locked for a second user authorization level. Given the suggestion that a user may want to quickly view the lock status of a displayed video, it would have been obvious to one of ordinary skill that the lock icon could be superimposed on the video itself so the user would not have to press the lock key to view the icon. Herrington already is capable of superimposing graphics on a television, and the removal of an extra step, in this case a simple button press, could be readily implemented by one of ordinary skill. The core functionality of quickly conveying lock status is not significantly changed, and the result of a simultaneous display is entirely predictable.

Claim 112:

Amended claim 112 is as follows:

A method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user for a designated authorization level;

enabling the user to access media content enabled for a first authorization level;

displaying a media content instance enabled for the first authorization level on a display screen;

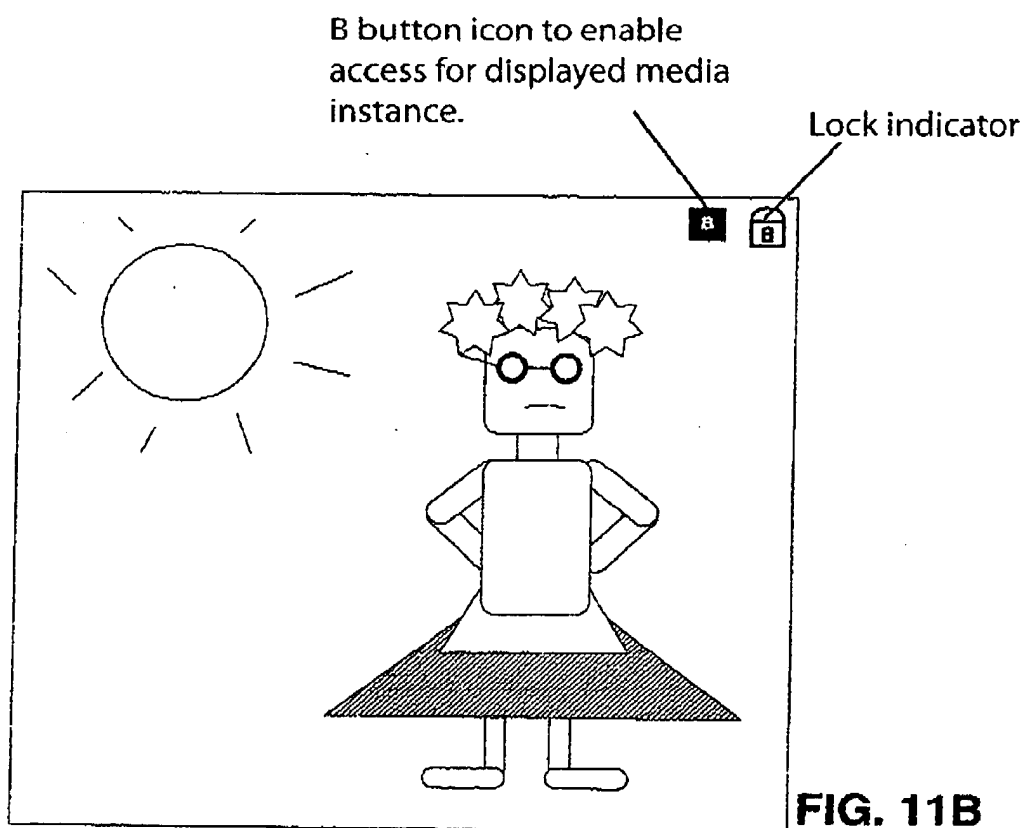
simultaneously displaying an icon on the display screen to indicate whether the media content is enabled for a second authorization level; and

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simultaneously displaying an indicator icon that if selected results in enabled access for the displayed media content instance without interrupting the display.

Claim 112 has been amended to clarify that a program instance is provided and that in addition to showing an icon of whether the content is allowed for a second authorization level, simultaneously displaying an indicator that, if selected, results in enabled access for the displayed content instance without interrupting the display. During the interview, agreement was reached with the Examiner, that the cited references do not disclose the simultaneous display of a lock icon and a button icon to allow active enabling of the content instance as shown below.



The withdrawal of the rejection of claim 112 is respectfully requested.

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Independent Claim 125

On Page 13, paragraph 27 of the Office Action, the Examiner rejected claim 125, under 35 U.S.C. § 103(a) over *Herrington*, asserting:

Regarding claim 125, *Herrington* discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for a plurality of authorization levels [e.g., administrator can positively identify HBO as viewable by removing the lock, Fig. 10a]; and

displaying an interactive authorization level linking screen [210, Fig. 10b], the interactive-authorization level linking screen showing a first authorization level [e.g., User 2] and a second authorization level [e.g., user 4] and an indication of whether media content enabled for the second authorization level is enabled for the first authorization level [Yes or No icon indicates whether media content enabled (via screen 206, Fig. 10b) for one user is enabled for another. In the case depicted in Fig. 10b, content enabled for User 2 is enabled for User 4, but not for User 3].

Herrington does not use an icon to show whether media content is enabled for the respective authorization levels, instead using simply "parent" or "non-parent" under a "Type" heading [Fig. 5A]. *Herrington* also used icons in a number of other places within the user interfaces [e.g. screen 153, Fig. 5B]. Given the disclosure of icons by *Herrington* and the disclosed indication of authorization level, one of ordinary skill could have readily and obviously modified *Herrington* to use an icon to convey whether media content is enabled for a respective user on a screen such as 157 in Fig. 5A. Using an icon rather than text makes more efficient use of limited screen space and can provide an intuitive and therefore quick recognition of information by a user.

Claim 125:

Amended claim 125 is as follows:

A method for controlling viewer access to media content,
comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for a plurality of authorization levels; and

displaying an interactive authorization level linking screen, the interactive authorization level linking screen showing a first authorization level and a second authorization level and a linking icon to

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indicate whether media content enabled for the second authorization level is subsumed within the first authorization level.

As discussed in the interview with the Examiner, claim 125 has been amended to clarify that the first authorization level is subsumed within the second authorization level. Unlike a parent level and non-parent level, the linking screen allows the media content of one level to be incorporated into the authorization level of a second level. Thus, in the example below, which shows a child level linking screen, the "X" next to the parent/administration level but is not for the teen authorization level (indicated by the lack of an "X"). Thus, unlike *Herrington*, which teaches to switch between parent and non-parent authorization levels, the child content is subsumed by the parent authorization level:

displaying an interactive authorization level linking screen, the interactive authorization level linking screen showing a first authorization level and a second authorization level and a linking icon to indicate whether media content enabled for the second authorization level is enabled for the first authorization level.

(see e.g., pages 12-13, Paragraphs 103-104; and FIG. 9B below).

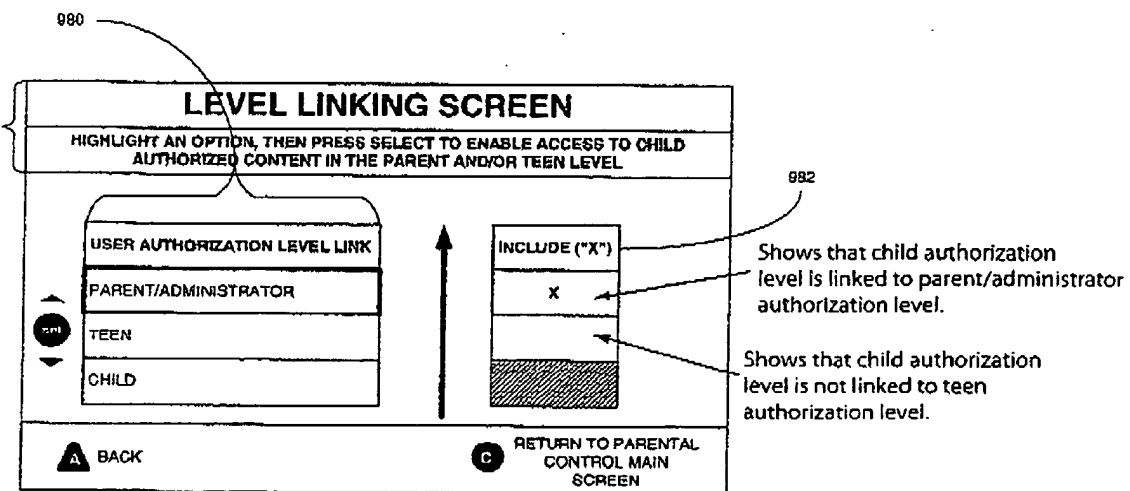


FIG. 9B

This is also different from adding a single show to a user authorization level. The withdrawal of the rejection of claim 125 is respectfully requested.

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Dependent Claims

Dependent claims 99, 101-102, 104-109, 113-124, 126-129 add additional limitations to their corresponding base independent claims 98, 103, 112, and 125 and are believed allowable as at least being dependent from allowable base claims. The withdrawal of the rejection of claims 99, 101-102, 104-109, 113-124, 126-129 is respectfully requested.

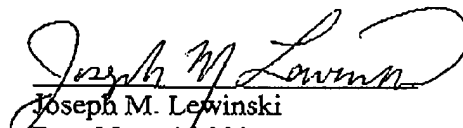
Conclusion

This Response is believed to be fully responsive to each point raised by the Examiner. No new matter has been added. No fees are believed due. However if fees are due, the Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment of fees to Deposit Account 19-0761.

It is believed that this Application is in condition for allowance and Applicant respectfully requests that a timely Notice of Allowance be issued. If the Examiner believes that there are any minor issues which can be resolved via a telephone conference or by an Examiner's amendment, then the Examiner is invited to telephone Joseph Lewinski at 770-971-9607.

Respectfully submitted:

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